

# Notice of Allowability

Application No.

09/522,354

Examiner

Dwin M Craig

Applicant(s)

MUSSELMAN ET AL.

Art Unit

2123

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10-24-2003.
2. ☒ The allowed claim(s) is/are 1-16.
3. ☒ The drawings filed on 10-27-2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

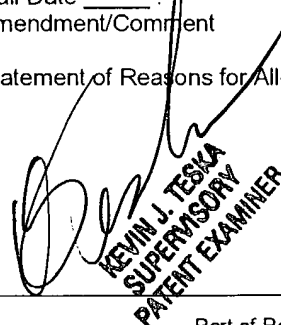
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
KEVIN J. TESKA  
SUPERVISORY  
PATENT EXAMINER

**DETAILED ACTION**

**And**

**NOTICE OF ALLOWANCE**

1. Claims 1-16 have been presented for reconsideration in view of Applicant's arguments.

Applicants arguments have been persuasive and Claims 1-16 are allowed.

2. The following is an Examiner's statement of reasons for allowance:

2.1 The prior art of record, in view of Applicant's arguments, does not expressly teach or render obvious the claimed limitations as recited in independent claims 1 and 9. In combination with the following limitations in independent Claims 1 and 9 are the following limitations: "*wave logic for producing a plurality of sequential wave signals, each wave signal corresponding to a row of cells, each wave signal controlling the propagation of logic signals through the cells of the row*" which provide a patentable distinction over the prior art. The prior art does not expressly teach the use of *wave logic* in circuit emulation, as enabled and defined by Applicant's specification in **Figure 8** and further defined on **pages 5 and 14** and further argued in Applicant's "Response to Office Action" dated 6 May 2004. To quote Applicant from **page 10** of the response, "*Thus, the control block 102 of Sarno cannot control the propagation of logic signals through rows as required by the claims since it is not even located in a position where the control could be affectuated.*" As opposed to **Figure 8**, of Applicant's specification, where the control signal labeled "WAVE I" is shown going into the "LOGIC DELAY" block 802 thus controlling the logic as displayed in the middle of **Figure 8**, items 803, 811, 812, 813, 814, 815,

Art Unit: 2123

**816, 805, 810, and 804** as opposed to the cited logic control configuration as disclosed in the *Sarno et al. U.S. Patent 6,141,636* reference in **Figures 1, 2, 14 and 15**. Furthermore, Applicant's admittance, interpretation of the prior art asserted and arguments recited in the responses of 10-27-2003 and 5-3-2004 have been persuasive so as to overcome the prior art. Claims dependent on 1 and 9 are therefore allowable as they depend on allowable independent claims.

**2.2** Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

**3. Claims 1-16** are allowed.

**3.1** Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dwin M Craig whose telephone number is 703 305-7150. The examiner can normally be reached on 10:00 - 6:00 M-F.

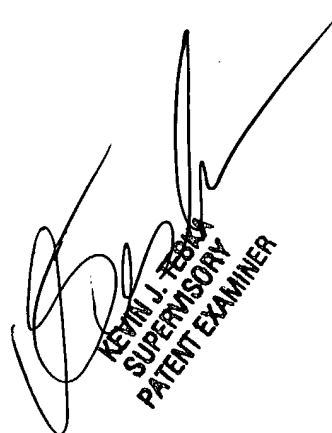
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Teska can be reached on 703 305-9704. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Art Unit: 2123

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DMC



KEVIN J. TENNA  
SUPERVISORY  
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